

**Arizona Supreme Court**

**Civil Special Action**

**CV-20-0190-SA**

**MICHAEL BEAVER et al. v DOUG DUCEY**

**Appellate Case Information**

Case Filed: 9-Jul-2020

Case Closed:

**Dept/Composition**

**Arizona Supreme Court**

**Civil Special Action**

**CV-20-0190-SA**

**MICHAEL BEAVER et al. v DOUG DUCEY**

Side 1. MICHAEL BEAVER; JACQUELYN BENDIG; MATT BRASSARD; CRAIG DENNY; PATRICIA DION; LOUIE FERNANDEZ; MISTIE GREEN; DAREL AND TAMIE HARRISON; BRAD HENRICH; CHARLES JENKINS; IAN JUUL; COLLEEN KENDALL; ALAN KOWALSKI; DOUGLAS LANDRETH; JOSH MAKRAUER; CHAD NEWBERRY; BRUCE REID; RUSSEL ROBERTS; WES AND REBECCA SCHEMMER; PETER SCIACCA; SHERI SHAW; HEATHER AND JUSTIN WARD; CHERI WELLS; JAVIER AGUILA, LUCILLE ARAGON, ALICIA BALDWIN, MATTHEW BECKER, SCOTT BUSSE, SUSAN COMPTON, JOHN EHALT, DEBORAH AND JAMES GRIFFIN, IAN F. LIKWARZ, THOMAS MCCAULEY, JOHN MCCORMICK, KIMBERLY O'DONNELL, ELMER PINEDA, GRANT QUEZADA, JESSE ISAIAH BURKE, JEFF RIGGS, JENNIFER BEEMAN, KYLE SCHWAB, THOMAS SMITH, TOSHA SPRING, EVA STAPLETON, AND MITCHELL AND LUCIE STEVENS , Petitioner

(Litigant Group) MICHAEL BEAVER; JACQUELYN BENDIG; MATT BRASSARD; CRAIG DENNY; PATRICIA DION; LOUIE FERNANDEZ; MISTIE GREEN; DAREL AND TAMIE HARRISON; BRAD HENRICH; CHARLES JENKINS; IAN JUUL; COLLEEN KENDALL; ALAN KOWALSKI; DOUGLAS LANDRETH; JOSH MAKRAUER; CHAD NEWBERRY; JAVIER AGUILA; LUCILLE ARAGON; ALICIA BALDWIN; MATTHEW BECKER; SCOTT BUSSE; SUSAN COMPTON; JOHN EHALT; DEBORAH AND JAMES GRIFFIN; IAN F. LIKWARZ; THOMAS MCCAULEY; JOHN MCCORMICK; KIMBERLY O'DONNELL; ELMER PINEDA; GRANT QUEZADA; JESSE ISAIAH BURKE; JEFF RIGGS; JENNIFER BEEMAN; KYLE SCHWAB; THOMAS SMITH; TOSHA SPRING; EVA STAPLETON; AND MITCHELL AND LUCIE STEVENS

- Michael Beaver
- Jacquelyn Bendig
- Matt Brassard
- Craig Denny
- Patricia Dion
- Louie Fernandez
- Mistie Green
- Darel Harrison
- Tamie Harrison
- Brad Henrich
- Charles Jenkins
- Ian Juul
- Colleen Kendall
- Alan Kowalski
- Douglas Landreth
- Josh Makrauer
- Chad Newberry
- Bruce Reid
- Russel Roberts
- Wes Schemmer
- Rebecca Schemmer
- Peter Sciacca
- Sheri Shaw
- Heather Ward
- Justin Ward
- Cheri Wells
- Javier Aguila
- Lucille Aragon
- Alicia Baldwin
- Matthew Becker
- Scott Busse
- Susan Compton
- John Ehalt

**Attorneys for: Petitioners**

Ilan Wurman, Esq. (AZ Bar No. 34974)

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- Deborah Griffin
- James Griffin
- Ian Likwarz
- Thomas McCauley
- John McCormick
- Kimberly O'Donnell
- Elmer Pineda
- Grant Quezada
- Jesse Isaiah Burke
- Jeff Riggs
- Jennifer Beeman
- Kyle Schwab
- Thomas Smith
- Tosha Spring
- Eva Stapleton
- Mitchell Stevens
- Lucie Stevens

**Side 2. DOUG DUCEY, in his official capacity as the Governor of the State of Arizona, Respondent**

**(Litigant Group) DOUG DUCEY, in his official capacity as the Governor of the State of Arizona**

- Doug Ducey, Office of the Governor

**Attorneys for: Respondent**

Anni L Foster, Esq. (AZ Bar No. 23643)  
Brett William Johnson, Esq. (AZ Bar No. 21527)  
Colin P Ahler, Esq. (AZ Bar No. 23879)  
Kelly A Kszywinski, Esq. (AZ Bar No. 25578)  
Tracy Olson, Esq. (AZ Bar No. 34616)

**Side 3. CARA M. CHRIST, M.D., M.S. IN HER OFFICIAL CAPACITY AS DIRECTOR OF THE ARIZONA DEPARTMENT OF HEALTH SERVICES, Amicus Curiae**

**(Litigant Group) CARA M. CHRIST, M.D., M.S. IN HER OFFICIAL CAPACITY AS DIRECTOR OF THE ARIZONA DEPARTMENT OF HEALTH SERVICES**

- Cara Christ, MD, Arizona Department of Health Services

**Attorneys for: Amicus Curiae Cara M. Christ**

Gregory W Falls, Esq. (AZ Bar No. 11206)  
Craig A Morgan, Esq. (AZ Bar No. 23373)

**Side 4. MARICOPA COUNTY, Amicus Curiae**

**(Litigant Group) MARICOPA COUNTY**

- Maricopa County

**Attorneys for: Amicus Curiae Maricopa County**

Allister R Adel, Esq. (AZ Bar No. 23061)  
Thomas P Liddy, Esq. (AZ Bar No. 19384)  
Emily M Craiger, Esq. (AZ Bar No. 21728)  
Joseph Branco, Esq. (AZ Bar No. 31474)  
Joseph Eugene La Rue, Esq. (AZ Bar No. 31348)

**Side 5. ARIZONA FRATERNAL ORDER OF POLICE, Amicus Curiae**

**(Litigant Group) ARIZONA FRATERNAL ORDER OF POLICE**

- Arizona Fraternal Order of Police

**Attorneys for: Amicus Curiae AZ Fraternal**

Robert E Yen, Esq. (AZ Bar No. 7236)  
Caroline A Pilch, Esq. (AZ Bar No. 11041)

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Side 6. THE GREATER PHOENIX CHAMBER OF COMMERCE, ARIZONA CHAMBER OF COMMERCE & INDUSTRY AND GREATER PHOENIX LEADERSHIP, Amicus Curiae

(Litigant Group) THE GREATER PHOENIX CHAMBER OF COMMERCE, ARIZONA CHAMBER OF COMMERCE & INDUSTRY AND GREATER PHOENIX LEADERSHIP

- Greater Phoenix Chamber of Commerce
- Arizona Chamber of Commerce and Industry
- Greater Phoenix Leadership

Attorneys for: Amicus Curiae Chamber of Commerce  
Gregory Y Harris, Esq. (AZ Bar No. 9112)

Side 7. ARIZONA BOARD OF REGENTS, Amicus Curiae

(Litigant Group) ARIZONA BOARD OF REGENTS

- Arizona Board of Regents

Attorneys for: Amicus Curiae AZ Board of Regents  
Paul F Eckstein, Esq. (AZ Bar No. 1822)  
Joel W Nomkin, Esq. (AZ Bar No. 11939)  
Thomas D Ryerson, Esq. (AZ Bar No. 28073)  
Matthew R Koerner, Esq. (AZ Bar No. 35018)  
Dominic Emil Draye, Esq. (AZ Bar No. 33012)

Side 8. ARIZONA HOSPITAL AND HEALTHCARE ASSOCIATION, HEALTH SYSTEM ALLIANCE OF ARIZONA, ARIZONA MEDICAL ASSOCIATION, ARIZONA OSTEOPATHIC MEDICAL ASSOCIATION, AND ARIZONA NURSES ASSOCIATION, Amicus Curiae

(Litigant Group) ARIZONA HOSPITAL AND HEALTHCARE ASSOCIATION, HEALTH SYSTEM ALLIANCE OF ARIZONA, ARIZONA MEDICAL ASSOCIATION, ARIZONA OSTEOPATHIC MEDICAL ASSOCIATION, AND ARIZONA NURSES ASSOCIATION

- Arizona Hospital and Healthcare Association
- Health System Alliance of Arizona
- Arizona Medical Association
- Arizona Osteopathic Medical Association
- Arizona Nurses Association

Attorneys for: Amicus Curiae AZ Hospital et al.  
Roopali H Desai, Esq. (AZ Bar No. 24295)  
D Andrew Gaona, Esq. (AZ Bar No. 28414)

CASE STATUS

Jul 9, 2020.....Pending

23 PROCEEDING ENTRIES

1. 9-Jul-2020 FILED: Petition for Special Action; Certificate of Compliance (Petitioners Beaver et al.)
2. 10-Jul-2020 A Petition for Special Action (with a Certificate of Service) having been filed in the above-captioned matter,  
  
IT IS ORDERED that any response to Petition shall be filed and served no later than Tuesday, July 21, 2020.  
  
IT IS FURTHER ORDERED that Petitioner may file a reply to the response no later than Thursday, July 30, 2020 (Hon. James P. Beene)
3. 14-Jul-2020 RECEIPT No.: 2020-00751 ; \$280.00, Authorization: 821136638338813697 , Applied to: MICHAEL BEAVER; JACQUELYN BENDIG; MATT BRASSARD; C - Class A Filing Fee (\$280.00) Paid for: MICHAEL BEAVER; JACQUELYN BENDIG; MATT BRASSARD; CRAIG DENNY; PATRICIA DION; LOUIE FERNANDEZ; MISTIE GREEN; DAREL AND TAMIE HARRISON; BRAD HENRICH; CHARLES JENKINS; IAN JUUL; COLLEEN KENDALL; ALAN KOWALSKI; DOUGLAS LANDRETH; JOSH MAKRAUER; CHAD NEWBERRY; - By nCourt LLC
4. 14-Jul-2020 FILED: Unopposed Motion for Procedural Order Setting Amicus Schedule; Certificate of Service (Petitioners Beaver et al.)
5. 15-Jul-2020 On July 15, 2020 an "Unopposed Motion for Procedural Order Setting Amicus Schedule" was filed by Petitioners, Beaver et al. Having considered the Petitioners' unopposed motion in the above-captioned matter,  
  
IT IS ORDERED that any amici may file amicus briefs or motions for leave to file amicus briefs in accordance with ARCAP 16 no later than Thursday, July 23, 2020.  
  
IT IS FURTHER ORDERED that Petitioners may respond to any amici in their reply no later than Thursday, July 30, 2020, in a consolidated brief of no more than 6,000 words.  
  
IT IS FURTHER ORDERED that Respondent may respond to any amici in a response no later than Thursday, July 30, 2020, in a brief of no more than 2,750. (Hon James P. Beene)
6. 20-Jul-2020 FILED: Unopposed Motion for Permissive Joinder; Certificate of Service (Petitioners Beaver et al.)

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7. 20-Jul-2020 On July 20, 2020 Petitioners filed an "Unopposed Motion for Permissive Joinder." After consideration, IT IS ORDERED granting the motion and joining Javier Aguila, Lucille Aragon, Alicia Baldwin, Matthew Becker, Scott Busse, Susan Compton, John Ehalt, Deborah And James Griffin, Ian F. Likwarz, Thomas McCauley, John McCormick, Kimberly O'Donnell, Elmer Pineda, Grant Quezada, Jesse Isaiah Burke, Jeff Riggs, Jennifer Beeman, Kyle Schwab, Thomas Smith, Tosha Spring, Eva Stapleton, and Mitchell and Lucie Stevens as Petitioners represented by Attorney Ilan Wurman.
- IT IS FURTHER ORDERED the caption of this order shall be used on all further documents filed in this appeal. (Hon James P. Beene)
8. 21-Jul-2020 FILED: Response to Petition for Special Action; Certificate of Service; Certificate of Compliance; Appendix (Respondent Doug Ducey)
9. 23-Jul-2020 FILED: Brief of Cara M. Christ, M.D., M.S., in her Official Capacity as Director of the Arizona Department of Health Services as Amicus Curiae in Support of Respondent Douglas A. Ducey; Certificate of Service; Certificate of Compliance (Amicus Curiae Cara M. Christ)
10. 23-Jul-2020 FILED: Authorization to File Amicus Curiae Brief (Amicus Curiae Cara M. Christ)
11. 23-Jul-2020 FILED: Brief of Amicus Curiae Maricopa County in Support of Respondent; Certificate of Service; Certificate of Compliance (Amicus Curiae Maricopa County)
12. 23-Jul-2020 FILED: Statement of Amicus Curiae Maricopa County RE: ARCAP 16(b)(1)(B) (Amicus Curiae Maricopa County)
13. 23-Jul-2020 FILED: Arizona Fraternal Order of Police's Motion for Leave of Court to Appear as Amicus Curiae; Certificate of Service (Amicus Curiae AZ Fraternal Order of Police)
14. 23-Jul-2020 FILED: Arizona Fraternal Order of Police's Amicus Brief in Support of Respondent; Certificate of Service; Certificate of Compliance (Amicus Curiae AZ Fraternal Order of Police)
15. 23-Jul-2020 FILED: Arizona Fraternal Order of Police's Motion for Leave of Court to File Amicus Curiae Brief in Support of Respondent (Amicus Curiae AZ Fraternal Order of Police)
16. 23-Jul-2020 FILED: Amicus Brief of the Greater Phoenix Chamber of Commerce, Arizona Chamber of Commerce & Industry and Greater Phoenix Leadership; Certificate of Service; Certificate of Compliance (Amicus Curiae Greater Phx Chamber of Commerce et al.)
17. 23-Jul-2020 FILED: Motion for Leave to File Brief Amicus Curiae by Greater Phoenix Chamber of Commerce, The Arizona Chamber of Commerce & Industry and Greater Phoenix Leadership; Certificate of Service (Amicus Curiae Greater Phx Chamber of Commerce et al.)
18. 23-Jul-2020 FILED: Brief of Amicus Curiae the Arizona Board of Regents in Support of Respondent; Certificate of Service; Certificate of Compliance (Amicus Curiae AZ Board of Regents)
19. 23-Jul-2020 FILED: Certificate of Allowance (Amicus Curiae AZ Board of Regents)
20. 23-Jul-2020 FILED: Brief of Amici Curiae Arizona Hospital and Healthcare Association, Health System Alliance of Arizona, Arizona Medical Association, Arizona Osteopathic Medical Association, and Arizona Nurses Association; Certificate of Service; Certificate of Compliance (Amicus Curiae AZ Hospital and Healthcare et al.)
21. 23-Jul-2020 FILED: Consent of All Parties (Amicus Curiae AZ Hospital and Healthcare et al.)
22. 24-Jul-2020 Arizona Fraternal Order of Police filed a "Motion for Leave of Court to Appear as Amicus Curiae," "Motion for Leave of Court to File Amicus Curiae Brief in Support of Respondent," and an "Amicus Curiae Brief in Support of Respondent" on July 23, 2020.
- IT IS ORDERED granting the motions. The brief shall be filed as of July 23, 2020. (Hon James P. Beene)
23. 24-Jul-2020 The Greater Phoenix Chamber of Commerce, the Arizona Chamber of Commerce & Industry, and Greater Phoenix Leadership filed a "Motion for Leave to File Brief Amicus Curiae" and "Amicus Brief" on July 23, 2020.
- IT IS ORDERED granting the motion. The brief shall be filed as of July 23, 2020. (Hon James P. Beene)